

UNITED STATES DISTRICT COURT
 for the
Eastern District of Michigan

United States of America

v.

Timothy HAZELETT

Case: 2:22-mj-30432

Case No. Assigned To : Unassigned

Assign. Date : 10/6/2022

Description: CMP USA v. HAZELETT (SO)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 29, 2022 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

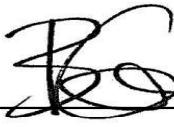
Offense Description

18 U.S.C. § 2252A(a)(5)(B)

Access with intent to view child pornography

This criminal complaint is based on these facts:

Continued on the attached sheet.



Complainant's signature

Special Agent Brooke Cormier - FBI

Printed name and title

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: October 6, 2022

City and state: Detroit, Michigan



Judge's signature

Honorable Jonathan J.C. Grey., U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF
AN APPICATION AND ARREST WARRANT

I, Brooke Cormier, a Special Agent with the Federal Bureau of Investigation (“FBI”), being duly sworn, depose and state as follows:

INTRODUCTION

1. I have been employed as a Special Agent with the Federal Bureau of Investigation (FBI) for over two years. I am currently assigned to the Detroit Field Office, Macomb County Resident Agency. Prior to my employment as a Special Agent, I was employed as an analyst with the FBI for approximately twelve years. During my fourteen years employed with the FBI, I have participated in investigations related to child exploitation and the illegal production, distribution, receipt, and possession of child pornography as both an analyst and as a Special Agent. As part of my official duties, I investigate crimes involving the sexual exploitation of minors, including criminal offenses pertaining to the illegal production, distribution, receipt, and possession of child pornography. I have received training in the proper investigative techniques for violations pertaining to

child pornography and child exploitation. Moreover, I am a federal law enforcement officer who is engaged in enforcing criminal laws, including 18 U.S.C. § 2252A(a)(5)(B) which prohibits knowingly accessing with intent to view material containing child pornography, and I am authorized by law to request a complaint and arrest warrant.

2. This Affidavit is submitted in support of an application for a criminal complaint and arrest warrant for Timothy Leary Hazelett (**/**/1973) for violations of 18 U.S.C. § 2252A(a)(5)(B).
3. The statements contained in this affidavit are based in part on information provided by U.S. federal law enforcement agents and state and local law enforcement officers; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement officers; information gathered from the service of administrative subpoenas; the results of physical and electronic surveillance conducted by law enforcement agents; independent investigation and analysis by law enforcement agents/analysts and computer forensic professionals; and my experience, training and background as a Special Agent. Because this affidavit is being submitted for the limited purpose of securing

a complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish that Timothy Hazelett has violated Title 18, U.S.C. §2252A(a)(5)(B).

PROBABLE CAUSE

4. On September 13, 2022, the FBI Detroit Division, Macomb County Resident Agency received information from the Cobb County, Georgia, Police Department regarding an adult male from Michigan that engaged in sexually explicit communications with a minor female victim who was a 9-year-old girl, born in May 2012, on the messaging application Text Now.

5. I reviewed the information provided by the Cobb County Police Department, which included a summary of some Text Now chat messages obtained from the MV's cell phone and reports of MV's forensic interview.

6. On December 28, 2021, MV was interviewed by a forensic interviewer in Georgia. MV stated she met the suspect through the Oculus game, Rec Room. The suspect's gamer tag name "dman119," made

sexual jokes and said weird things. Eventually, they began communicating through the Text Now application. When users communicate through the Text Now application, one can see a username for and symbol for the individual they are communicating with. The Text Now username was a clock symbol-hwking-clock symbol (hereinafter known as hwking). Eventually the suspect told the MV his name is Tim and asked her to send pictures of herself. The suspect sent a picture of himself with his brother to the MV. MV made various other claims throughout the interview, including that the individual speaking to her had contact with 80 other minors, based on rumors she had heard on Oculus. MV also identified “Tim” as having a beard and dark hair. I am relying primarily on the results from police reports detailing the forensic examination of MV’s devices and conversations with law enforcement regarding those devices and not on MV’s forensic interview, though portions of her statement are corroborated by some of the texts between them.

7. On one occasion, while talking to Tim in the Oculus game, Tim's brother began speaking, telling the MV she is pretty. MV admitted to sending Tim two photographs of herself, one in her pajamas and one of her with her dog. MV told Tim that she was 12 years old.

8. On June 30, 2022, Investigator Philip Grant of the Cobb County Police Department conducted a cursory review of the text communications between the MV and "hwking" 586-900-7875. The MV refers to "hwking" as "Dad" and he refers to her as "Emma." Emma is the MV's name on her Oculus device. MV expresses her frustration at not being able to visit her real father for the weekend, and hwking replies "u can come to my house for the weekend," followed by "and I'll let u drink lol." Drinking is brought up by hwking on another occasion when he makes reference to a story that the MV relayed in the past: "u remember how u told me when u get around Isabella and start drinking and ur clothes seem to come off and she video tapes u naked? I was extremely jealous of Isabella." On another occasion, hwking states, "When your old enough or feel grown up enough to share some pics with me."

9. On September 12, 2021, the following exchange between the MV and hwking took place:

MV: you wanna go?

Hwking: what does that mean u asking me for sex?

MV: NO WHAT THE FUCK YOU'RE LIKE 40 AND MY FATHER"

Hwking: well if u ever change ur mind

10. On September 13, 2021, MV and hwking are joking about curse words and hwking uses the word "cocksucker." MV tells him she dislikes that word and hwking types "I'll send u a pic of mine if u send me a pic of yours." MV responded that she had seen enough cock. Hwking then told her not to be shy.

11. On March 23, 2022, subpoena records received from Text Now for telephone number, 586-900-7875, revealed the username "hwking73" and email address hwking73@icloud.com. The account was initiated on July 19, 2021.

12. On May 2, 2022, subpoena records from Apple for email address hwking73@icloud.com revealed the owner name as “Billy Badass” residing at 5*** Parshall Drive, Shelby Township, Michigan, as well as telephone number, 586-3**-8***. That address is a rental home registered to *** Hazelett who is a relative of Hazelett.

13. Open-source data base checks and analysis reveal Timothy Hazelett, DOB: xx/xx/1973, is a positive match to the individual who sent the MV his photograph. On May 22, 2022, social media checks revealed a Facebook page for Hazelett that when compared to the picture sent to the MV was a match. Hazelett’s Facebook account has since been deleted; thus, that photograph is not included here. Hazelett’s prison photo available publicly online matches the photograph sent to the MV.

14. Agents obtained a driver license photo for Timothy Hazelett, and his driver’s license photo was consistent with the photo that the subject had sent the MV.



Driver's License Photo



Photograph sent to MV

15. On September 15, 2022, I spoke with Michigan Department of Corrections Parole Agent Jameka Mobley. Mobley is currently supervising Hazelett as it pertains to his 2008 Florida conviction for sexual battery of minor under the age of 12 years old. Mobley

stated that Hazelett resides with his brother, xxxx Hazelett, DOB: xx/xx/1974, at xxxxxx Chapp Avenue, Warren, Michigan, 48089-1787.

17. Based upon Hazelett's conversation with the MV and request for images from the MV, coupled with his prior conviction for sexual assault involving a minor and other information, I applied for and obtained a federal search warrant on September 26, 2022 for Hazelett's residence and electronic devices to search for evidence of possession, distribution and receipt of child pornography, other contacts with minors or individuals in the care, custody, and control of minors regarding the sexual abuse of minors, and evidence that Hazelett has likely requested images from other minors.

18. The federal search warrant was executed by FBI Agents on September, 29, 2022. Hazelett was interviewed after the execution of the search warrant and admitted that he had a Text Now account, that his user name was "hwking" which stood for hot wheels king, and had communicated with the MV in 2021. A black

iPhone 7 cell phone was seized from Hazelett's bedroom pursuant to the search warrant. Law enforcement officers confirmed that the bedroom where the iPhone 7 was recovered was Hazelett's bedroom because his brother identified the other bedroom in their two bedroom house as his. Hazelett refused to give a password for that phone although he willingly gave a password for the cell phone recovered from his person. Law enforcement also confirmed that the iPhone 7 seized from Hazelett's bedroom belonged to Hazelett because the Apple ID associated with the device was identified as hwking73@icloud.com –the same user name that Hazelett admitted to using on Text Now. Agents performed a cursory review of the iPhone seized from Hazelett's bedroom, which revealed the Text Now application was installed as well as at least 14 images of child pornography. Based on the volume of images on the iPhone, the review is on-going. An example of four images located during a forensic examination of the device include the following:

- a. A young teenage female, completely nude, masturbating.
- b. Two young children, both females, face down in a bed, both wearing pajamas, one child has her buttock exposed, while a

nude adult male is touching the other child. This image is dated as having been accessed on January 11, 2022. .

- c. A young female, dressed in pajamas with her bottoms pulled down. The child is being anally penetrated by a nude adult male.
- d. A teenage female, completely nude, genitalia exposed, being touched on the leg by a nude male. This image was dated as having been accessed on May 21, 2021.

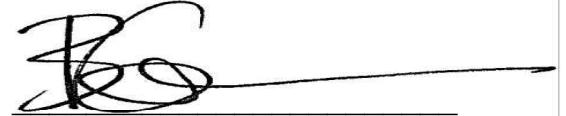
These images of child pornography were located in the Network Cache portion of the iPhone seized from Hazelett's bedroom. The cache history revealed that the user of the iPhone accessed a website that contained images of child pornography and those images were accessed over the Internet.

CONCLUSION

19. Based on the foregoing, there is probable cause to believe Timothy Hazelett knowingly accessed with intent to view material that contains an image of child pornography that has been shipped or transported using any means or facility of interstate commerce, or

in or affecting interstate commerce by any means, including by computer, in violation of 18 U.S.C. § 2252A(a)(5)(B).

Respectfully submitted,



Special Agent Brooke Cormier
Federal Bureau of Investigation

Sworn to before me and signed in my presence and/or by reliable electronic means



Jonathan J.C. Grey
Hon. Jonathan J.C. Grey
United States Magistrate Judge

Dated: October 6, 2022